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**UNITED STATES DISTRICT COURT**

**FOR THE CENTRAL DISTRICT OF CALIFORNIA**

TERESA TURNER, individually and on behalf  
of all others similarly situated,

Case No. 2:25-cv-00334-FMO-PD

## **STIPULATION TO EXTEND UNITED STATES' DEADLINE TO INTERVENE**

Plaintiff,

V.

## NATIONAL NOTARY ASSOCIATION.

**Defendant:**

1 IT IS HEREBY STIPULATED by and between Plaintiff Teresa Turner, Defendant National  
2 Notary Association, and Interested Party United States of America, through their counsel, that the United  
3 States' deadline to intervene in this matter be extended by 45 days, from May 16, 2025 to June 30, 2025.  
4 Good cause exists to approve this stipulated extension.

5 On March 17, 2025, Defendant National Notary Association ("Defendant") filed a Notice of  
6 Constitutional Question in this matter pursuant to Federal Rule of Civil Procedure 5.1. *See* ECF No. 20.  
7 In that Notice, Defendant states that its Motion to Dismiss Plaintiff's Complaint, *see* ECF No. 14,  
8 "challeng[es] the constitutionality of the Video Privacy Protection Act, 18 U.S.C. § 2710," and  
9 specifically "argues that the VPPA facially and as applied violates the First Amendment and Due Process  
10 Clause of the Fifth Amendment of the United States Constitution." ECF No. 20 at 1-2. Pursuant to the  
11 briefing schedule entered by this Court, *see* ECF No. 19, Plaintiffs filed their opposition to Defendant's  
12 motion to dismiss on April 10, 2025, *see* ECF No. 27, and Defendant filed its reply on April 17, 2025,  
13 *see* ECF No. 28.

14 The United States is authorized to intervene in any federal court action in which the  
15 constitutionality of an Act of Congress is drawn into question. 28 U.S.C. § 2403(a). Counsel for the  
16 United States respectfully advises the Court that the United States has not yet decided whether to  
17 intervene in this action to defend the constitutionality of the VPPA. The approval of the Solicitor General  
18 is required for the United States to intervene in an action to defend the constitutionality of a federal  
19 statute, *see* 28 C.F.R. § 0.21, and that approval process often takes several weeks.

20 Pursuant to Rule 5.1(c), the current deadline for the United States to intervene is May 16, 2025.  
21 However, notice of this constitutional challenge only recently came to the attention of the component of  
22 the Department of Justice responsible for recommending to the Solicitor General whether intervention is  
23 warranted, including undersigned counsel. Accordingly, because the approval process often takes several  
24 weeks and in light of the press of other litigation in which the United States is a party, the United States  
25 respectfully requests that the Court enter this Stipulation to extend by 45 days the deadline to decide  
26 whether to intervene for the limited purpose of defending the constitutionality of the VPPA, up to and  
27 including June 30, 2025. If the United States decides to intervene, it will be prepared to file its notice of  
28

1 intervention and accompanying memorandum in defense of the constitutionality of the statute no later  
2 than June 30, 2025.

3 The requested extension is requested for good cause and is not intended to cause undue delay or  
4 otherwise prejudice any party. Undersigned counsel for the United States has conferred with counsel for  
5 all parties in order to prepare this Stipulation, who consent to the requested extension. The United States  
6 has not previously requested any extension of time in this matter.

7 WHEREFORE, the parties respectfully submit this Stipulation to the Court for its approval.

8 Date: May 1, 2025

YAAKOV M. ROTH  
Acting Assistant Attorney General  
Civil Division

LESLEY FARBY  
Deputy Director  
Civil Division, Federal Programs Branch

/s/*Cristen C. Handley*  
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14 *Attorneys for Defendant National Notary Association*

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16  
17 ATTESTATION UNDER LOCAL RULE 5-4.3.4

18 I, Cristen C. Handley, am the ECF User whose ID and password are being used to file this  
19 Stipulation. In compliance with Local Rules 5-4.3.4(a)(2), I hereby attest that Plaintiff's counsel, Frank  
Hedin, and Defendant's counsel, Chirag Patel, have concurred in this filing.

20 DATED: May 1, 2025

21 /s/Cristen C. Handley  
CRISTEN C. HANDLEY  
22 Trial Attorney

1                   DECLARATION OF CRISTEN C. HANDLEY

2                   I, Cristen C. Handley, declare:

3                   1. I am a trial attorney with the United States Department of Justice, Civil Division, and have  
4 entered an appearance on behalf of the United States as an Interested Party in the above-captioned case.

5                   2. On April 23, 2025 and April 29, 2025, I met and conferred with Plaintiff's counsel, Frank  
6 Hedin, and Defendant's counsel, Chirag Patel, via e-mail regarding the Government's contemplated  
7 request for a 45-day extension of its deadline to intervene in this matter. Counsel for Plaintiff and  
8 Defendant responded via e-mail that they do not oppose the Government's request. Accordingly, I  
9 prepared this Stipulation and Proposed Order and provided it to counsel for their review. Counsel  
10 approved.

11                  I declare under penalty of perjury that the above is true and correct.

12                  Executed this 1<sup>st</sup> day of May, 2025.

13  
14                  */s/Cristen C. Handley*  
15                  CRISTEN C. HANDLEY